



On The Way Out

...I am in need of advice regarding the Indian Divorce Act, since both my husband and I are Christians. In December 1982, I put in a petition for judicial separation which is still pending. Could you let me know how long it will take for me to get the separation? After getting separation, how many years must I wait before filing a petition for divorce? How long will it take for divorce to be granted?

Is there no other way, something like mutual separation, for people who fall under this outdated and rigid Act? I have three daughters, aged 7 to 13 years. I do not want him to get custody of them, nor do they want to go to him, but he says he will fight for custody of two of them. Will their wishes be taken into consideration by the court? My youngest daughter is a cerebrally palsied child, although she is trainable. He does not want her, but wants the two normal children.

How do I go about getting maintenance? He is an army officer. He does not wish to give any money, and ever since my judicial separation petition, I am supporting the children. Since I am working, I cannot get maintenance. But can the children get it? Will I have more chance of winning the custody case if I do not ask for maintenance for the children?

A sister, Jalandhar

Under the Indian Divorce Act, judicial separation is not a ground for divorce. Nor is divorce by mutual consent allowable. The wife can obtain divorce only on grounds of adultery coupled with extreme cruelty, or adultery coupled with desertion for two

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years. Adultery is, however, very difficult to prove.

The Act does not state that an earning woman is not entitled to maintenance, so there is no harm if you file a petition for maintenance. Courts have wide discretionary powers in granting maintenance. You have a very good case for getting maintenance for your three daughters. You also have a good chance of getting custody. The fact that he does not want your youngest daughter will strengthen your case immensely for custody of all three girls. It should not be difficult to get interim maintenance at this stage for the children. Your applying for maintenance for the children should not prejudice your getting custody of them.

It is difficult to say how long the case will take, unless one knows all the details, and how much evidence you both have to produce. We wish you all the best in your struggle to create an independent life for yourself.

—**Manushi**

Some Comments

Just received No. 19—

A general problem with many articles in Manushi is that too often the point the author is trying to make is not clear, or the material is not too connected with the point the author is trying to make. For example, Marika Vicziany's article contained so much interesting information, but what is it she is trying to say? Is she saying that more education beyond elementary level is required? But how and why will this help, and how is it more feasible?

I read the review of *Kayamat*, which was nothing more than a detailed description of what happens in the film. The whole exercise seemed fairly pointless...

In "Need for A Larger Vision", Devaki Jain shifts too quickly from one point to another, without fully discussing any point. She does not explain what

"changes in access" and changes in "cultural modes" are required, or how these changes are to be brought about, paradoxical to say first that parity around sex or gender is building up and is gradually overpowering other lines of identity in and then to say "It is not yet commanding serious attention." whose attention is being referred to here? All the quotes should have been strung together beginning.. Each should have been brought in when the speaker described later.

Was the article intended advertisement for SEWA? Is SEWA the only "diagnostic and healing" thing which can be discussed

Reading Omvedt's article, I had the feeling that she herself has no close understanding of the devdasi system. If the point of her article is that she wants a law to be passed outlawing devdasi practice not spend more time explaining the history of the present law in when and why it was passed.

The report "After the Protest" is the kind of report that I hoped would start appearing soon. It sounds more truthful than other reports of its type.

Mangala Nori's article like many others, talks about how to have the right attitude, but does not advocate a position on what should be done. Checking men who want to have sexual relations with is an interesting idea, but it is not seriously followed up by Nori. It is not clear to what end she presents and refutes various arguments held by people, and it is surprising that she ends up without taking position herself

The drawings throughout were very thoughtfully selected, and full of talent. Bula's work is interesting. The cover was a good idea. I know you do not guide the hands and minds of the people who write for **Manushi**, and cannot do other than choose from what is sent to you. I also know that you have a responsibility to give space to the concerns of women as

these are expressed within the movement. Nonetheless, is it possible for you as editors of **Manushi** to clarify for some of these writers that in an article for **Manushi** they should be trying to make or demonstrate a point and that there should be a logic of sorts to their exposition ?

Could some of the pieces be improved if the authors were asked some simple questions about what they are trying to get across, about whether what they say is relevant and useful and supporting what they are trying to get across ? Perhaps a simple criterion writers should use is to say to themselves— will there be any consequences if I am correct on this issue ? If so, what consequence ? Have I clearly explained the evidence on which I think I am right ?...

Kamal; Delhi

Changing Men

...I am distributing **Manushi** in Coimbatore, Coonoor and Ooty. Only a few copies are sold on bookstalls. I sell the rest by approaching individuals, but most of the copies go to male readers. I know this is not the aim of **Manushi**, but I am helpless. I want to publicise **Manushi** by writing on walls : "Read and subscribe to **Manushi**." My mother helps me a lot—

In No. 18, when I read the article "Seethalakshmi— She Refused To Bend Or Break," I really felt ashamed of being a male. It is a sad but courageous story. I am translating it into Tamil. The situation of women in this area is very bad, but there is no organisation genuinely to fight for, them...

M. Padmanaban, Coonoor

Choice Dangerous ?

...At a recent women's seminar in Madras, I bought the latest copy of **Manushi**, and was told it sold very well at the seminar. I have read a few of the previous issues, and, as a journalist, while acknowledging that it is the only serious magazine I know focusing on women's rights, I would like to make a few suggestions.

South Indian women and their problems seem to find very little or no place in **Manushi**. Film reviews, again, exclude the south. You could strive for a more balanced presentation.

If **Manushi** is to become the kind of powerful voice that Indian women sorely need, I think you will have to undertake a small publicity drive, as much as your limited funds will allow.

Most of the visitors at the seminar were quite willing to buy **Manushi**, but none of them had heard of it.

There is just one more thing, perhaps the most important. It is true that the atrocities committed on Indian women are far more bizarre than fiction can ever invent. You must make people sit up and take notice, and reveal the worst that is taking place. But in leaning over backwards to help and support the cause of women, you have introduced a dangerous slant, apparent in at least the last two issues.



—Itwari Parika

Lesbianism or homosexuality is not really the answer to failures in man-woman relationships. "Abducted By Her Family" in **Manushi** No. 18 seems to imply it, and a rather long short story "Naya Gharvas" in **Manushi** No. 17 says so quite plainly. Both these pieces, in different ways, tell us that men are beastly creatures and it is far better for women to pair off among themselves and live happily ever after. In a magazine like **Manushi**, it is very important to maintain one's sense of proportion.

Also, the magazine's overall tone

could be a little less sombre and depressing. The short stories seem to compete with the real life pieces. I refer to "Corridors Of Stone" in No. 18. Life may have its share of darkness and misery, sometimes a lion's share, but that is surely not all ? I hope not. Do take all this as coming from a sincere well wisher.

Rama Vaidyanathan, Madras

*We appreciate your concern for **Manushi** and hope that we can count on you as one of **Manushi**'s friend and supporters in the years to come. Thank you for your various suggestions. We are surprised that you feel that South Indian women's situation finds little or no place in **Manushi**. We have regular reports from the south in every issue of **Manushi**, and have also had several long articles. It is not as much as we would like, but that is because we have received a limited amount. In fact, if you look carefully, you will find that we have had far fewer reports from some north Indian states, such as Rajasthan, Kashmir, even UP, from eastern states such as Assam and Manipur, than from the south.*

As far as film reviews are concerned, due to reasons to space, we have to limit ourselves to films which are seen all over the country. Unfortunately, only Hindi films get to be seen by people in different states. We would like reviews of outstanding films made in different regional languages so that our readers can get to know about them. It seems pointless to review trash films made in Tamil or Marathi because they are not very different from the trash films made in Hindi.

Manushi, in our view, has never suggested that lesbianism or homosexuality is the answer to failures in man-woman relationships. We are surprised, indeed shocked, that you should suggest that Kiran had, tried, to extend help to her friend Khurshid because they are lesbians. Kiran has been similarly involved in extending help to dozens of women including those who wanted to marry men of their choice. Kiran Singh of Patna who wanted to marry a Muslim man of her choice, and was nearly killed by her father for trying

to do so, was similarly helped by Kiran Shaheen. We feel sad that a woman's attempt to help another woman to resist oppression should be so grossly misunderstood by another woman.

As far as "Naya Gharvas" is concerned, the story has been written by a man, and is based on a Rajasthani folk tale. We feel it is an oversimplistic interpretation of the story to say that it recommends lesbianism as the way out. As we understand the story, it shows how the same person, man or woman, can easily become a tyrant, when put in a position of power vis a vis another human being. The beautiful friendship and love between Beeja and Teeja is destroyed as soon as one of them assumes "husbandly" power over the other. Thus the attack is on power relations inherent in the institution of marriage which defines the woman as the inferior partner rather than an advocacy of any particular sexual preference. The fact that the author shows a woman going through that transformation by the mere fact of seeing herself in the position of power as a husband, shows that the story does not believe that all men are beastly and it is better for women to pair off, but rather that when anyone comes to assume a position of power, they begin to oppress.

As far as Manushi's own understanding is concerned, we do not think it is for anyone to advocate any particular sexual preference. The only thing Manushi tries to advocate and stand for is the right of every human being freely to choose the life they want, including the right to define one's sexual preference without pressure or persecution. This includes the right to live with the man or woman or men or women of one's choice, or even to live a celibate life. Why should we assume that everyone should be pushed into a particular kind of sexual relationship?

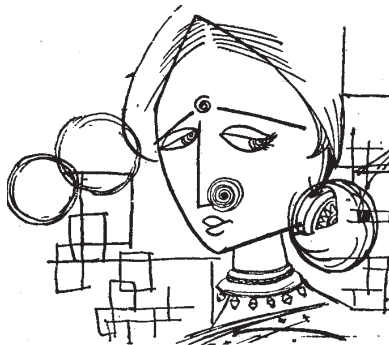
We are trying our best to see that Manushi does not have a gloomy and depressing effect on readers. We have, for instance, tried hard to find women cartoonists but have not succeeded so far. Also, so far we have not received any articles that deal with the subject in a

humorous way.

—Manushi

Selective Sympathy

...I am enclosing a poem of mine called "Colleague." I know there will be women who will feel that men do not treat women colleagues favourably. But that is more so when the woman is his superior, hence I have used the word colleague. Also, I have noticed that men can admire a work partner if she is a woman but not if she is a wife. Also, it could be because this sort of admiration paves the way for an extramarital relationship which may not be physical. It could also be because of the fact that office authorities have accepted her worth enough to give her the job, facilitates his acceptance of her



competence. But as a husband he is the sole judge who is prejudiced enough to let his ego tip the scales unfavourably for her. Whatever be the reason, I have noticed that men do make much of some of their women colleagues. They find a good rapport with them, an entertaining diversion even if it does not end in anything physical. I would love your and other women's views on this...

Colleague

Every time you praise me
for my efficiency
and your eyes
darken with admiration,
I am not impressed.
For I know how much
you would value me
if I were your wife.
I have seen the uncertainty
on her face
every time you put her
in her place
and have choked on the mud

in her hair
each time you walked over her.
Besides
my husband's views
are no different.
A colleague's a colleague
A wife's a wife.

Joy Deshmukh

Education Not Enough

...I would like to report the case of a young, educated girl whose father is a subjudge and belongs to an affluent family. This girl was forced to marry her mother's brother who is 15 years her senior. This uncle had no desire to marry his niece because he had known her from babyhood and had watched her grow up. But in our caste a girl's first choice is her maternal uncle, if he is not too old or not already married. Only if a girl marries her maternal uncle will the girl's mother have a hold over her father's property, which would go to his son and his daughter's daughter jointly.

So though both parties were unwilling, the girl's mother forced them into this marriage. The girl went to live with her husband but found that he was not willing to have sex with her. After a year, she ran away, and we helped her to get admission in a college. Her paternal grandfather had left her some money. But still the girl's parents are hounding her. They even hired ruffians to abduct her. Meanwhile her uncle has got a divorce and has remarried. We hear that his second wife is now pregnant. Yet the girl's parents want her to go and live with her husband, "even as a servant" rather than live independently. We are all supporting the poor girl...

N. Shanmugasundaram, Madras Atmosphere Of Apathy

...Ishwarchandra Vidyasagar Memorial Youth Organisation works for social reform and against dowry. In a recent case, we found the police and administration most uncooperative to our efforts. A girl who was married in Samisya village, was thrown into a well and killed by her husband in Jabalpur, on her parents being unable to fulfil his demand for a motor cycle. The police delayed investigation, and rudely dismissed the girl's brother when asked them to arrest

her husband. It was only after a lot of pressure was exerted, and after many days that the police finally registered a case of murder and arrested the husband.

We were disappointed to that the girl's family also seemed lukewarm in their attitude, and was not anxious to pursue the case. They ignored our organisation's offer of help and free legal aid...

Anand Usrethe, Jabalpur
(translated from Hindi)

Seminar On Rape Bill

On November 12, 1983, a seminar on the rape bill was organised by Manini, a forum for progressive women, in Bangalore. The advocate general explained the salient features of the bill. By and large, he agreed with the amendments suggested by the joint committee. He, however, regretted that out of 33 members constituting the committee, only six were women.

Other speakers pointed out that the omission of marital rape and the leniency shown towards a man who rapes a prostitute are very wrong. The discussion that followed the speeches attempted to trace the root cause of rape.

—**K. Sharada Bhatt**

Gift of Vision

Congratulations to Seethalakshmi for listening to herself over all others and giving birth to her dreams. This is the greatest gift she could ever give her son. This is also a gift to other women who may not have known before that they too could listen to their own voice and follow their dreams. I raise my glass to you, Seethalakshmi, and to a world of new and better vision.

Linda Marie, USA

Family Censorship

...This is about the subscription of my daughter. She is now married and living in her in-laws' house. Her in-laws do not like her to read **Manushi**. She is trying to see that she and her husband start living separately from his family. Once she separates, she can get **Manushi** directly at her address. Till then, I will keep a copy for her, and will pay for it...

Sitaram Agarwal, Varanasi
(translated from Hindi)

Showing Concern

South Asia Community Centre, a centre for South Asian women in Montreal, Canada, has drawn up a petition to the prime minister, carrying 2,000 signatures of people from all over Canada. The petition asks why dowry murders are continuing and increasing, and why the law has failed to bring the culprits to justice. It says: "We are deeply concerned and angered by these tragedies. Despite official concern being voiced at these murders, little or nothing has been concretely done to put a stop to them. We demand that the government of India put a stop to this barbarity by severely punishing the culprits, and that the government implement the moribund Dowry Prohibition Act."

Nilambri Singh, SACC

Sacrifice The Only Way?

This is with reference to Marika Vicziany's study of musahar and chamar women in a Bihar village, which was published in **Manushi** No. 19. It seems to me that the seemingly objective style and scholarly tone of the study conceal reasoning that would be considered extremely conservative and even



antiwomen if it appeared in a journalistic piece or a government document.

Vicziany throughout assumes, without admitting it, the nuclear monogamous family as the desirable norm. Her implicit assumption is that woman's status is bound to be higher in a nuclear family than in a joint family, and that the couple relationship gives women more security. She also measures woman's status only by that of the wife, not that of the mother, in the family. Thus she almost says in so many words that "parents living longer" is undesirable because she thinks

that the intensification of the mother-son and the mother-daughter bond and the weakening of the conjugal bond have a negative effect on women's status. The solution she suggests, therefore, is that as the community "progresses", conjugal intimacy will increase, so that "the independence and the insecurity of musahar women will disappear."

It seems to me not only illogical but also dangerous thus to equate loss of independence with security. Are women in so called "forward" communities really secure in their marriages? Do not most dowry deaths occur in families that are well above the poverty line? Secondly, why should we see the mother-daughter relationship as less security giving than the husband-wife relationship? If musahar women are more easily able to stay at their natal homes even after marriage, why should this lead Vicziany to conclude that their marriages are less "stable" than those of upper caste women who die in their marital homes because they have no other option?

Even more surprising is Vicziany's conclusion that female education and consequently employment, should be "sacrificed" to the education of men. The reason she cites is "Bihari culture." This argument is far too deterministic in that it assumes there is only one way change can come—the way it has come in the past. Is there no conceivable way positive change can come equitably for both women and men? Now that upper caste men have received priority in education and employment, with disastrous consequences for women, should we be looking for ways to prevent such discrimination in future, or should we be repeating the old argument with which Vicziany concludes: "Whatever benefits accrue to the community as a whole—will more than outweigh any loss of female independence." If we are thus to continue identifying the interests of the community with the interests of men and are to assume that women will automatically be looked after, (despite all evidence to the contrary), then why study the situation of women at all?

K. Lilavati, Delhi